

MuckRock News  
DEPT MR 76834  
411A Highland Ave  
Somerville, MA 02144-2516  
76834-84217158@requests.muckrock.com

## Nevada Public Records Act APPEAL

Reno Police Department  
Nevada Public Records Act Appeal  
P.O. Box 1900  
Reno, NV 89502

September 17, 2019

This is a follow up to request number P023853-070919:

FOIA officers,

I believe that this request was inadequately searched for records. Knowing that facial recognition vendors have been pitching police departments all over the country, it seems implausible that there are no records for solicitation emails. I am also aware that departments routinely have MOUs or IGAs with other agencies in order to access their facial recognition systems. As such, I ask you remand this request for an additional search for records.

Respectfully,  
Freddy Martinez  
Open the Government

Filed via MuckRock.com  
E-mail (Preferred): 76834-84217158@requests.muckrock.com

For mailed responses, please address (see note):  
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On July 16, 2019:  
Subject: Police Records :: P023853-070919  
--- Please respond above this line ---

Dear Freddy ,  
RE: Public Records Request Reference # P023853-070919.

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The Reno Police Department received a public records request from you on July 09, 2019.

Your request mentioned:

Our office has reviewed its files and has determined there are no documents responsive to your request. If you have any additional questions, please feel free to contact the Reno Police Department Records Division at 775-334-2155 x 0.

Thank you for contacting the City of Reno.

Sincerely,

Records Division

Reno Police Department Please note any confidential, proprietary, or protected information will be redacted prior to the release of the records. There could be a charge for copies of public records. If the estimated cost of the copies requested is \$25.00 or more, the requester will be required to pay in full prior to reproduction. Materials will be held for 14 days. If not retrieved, the requester will be charged in full for a second reproduction in addition to any unpaid original charges. Advance payment will be forfeited if material is not retrieved.

On July 15, 2019:

Subject: Police Records :: P023853-070919

--- Please respond above this line ---

Dear Freddy, ~~RE: Police Records :: P023853-070919~~  
RE: Public Records Reference # P023853-070919

The City of Reno has received your public records request dated July 09, 2019 wherein you requested the following: To Whom It May Concern:

Pursuant to the Nevada Public Records Act, I hereby request the following records:

Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services.

This software or services may be provided by Rekognition, Face++, and FaceFirst; this request is applicable to these and any other company providing facial recognition services under consideration or contract with this agency.

Responsive materials include but are not limited to:

- Agreements: contracts (including non-disclosure agreements), licensing agreements, nondisclosure agreements, and other agreements related to the acquisition, use, and deployment of the technology.
- Bid records: Requests For Proposal (or equivalent calls for bids), sole source or limited source justification and approval documentation, documentation of selection, and other materials generated in the consideration and selection of the technology in question.
- Company relations and communications: records related to meetings or follow-up actions with any vendors, companies, or other private entities marketing face recognition to this agency for immigration, intelligence, law enforcement, or other use.
- Financial records: purchase orders, invoices, and other memoranda and documentation.

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- Marketing records: All marketing materials - unsolicited, requested, or otherwise - acquired from vendors of face recognition technology
- Policy records: any policy directives, guidance documents, memoranda, training materials, or similar records governing the use of face recognition technology for immigration, law enforcement, or other purposes. Any memoranda of understanding between this agency and other agencies to share data, access remote systems or other forms of information sharing with external agencies.
- Training records: training material governing the use, sharing, or access to any related data related to or collected by the face recognition software/technology, including the legal standard that is required before using the technology. Documents, should they exist, about training for bias in the use of facial recognition technology.
- Use and function records: Materials that describe the function of the software considered or in use by this agency, including emails, handouts, PowerPoint presentations, advertisements, or specification documents.
- Validation and accuracy: Records, reports, audits, and other documents sufficient to describe validation, accuracy, reliability, and policy compliance of the system.

Please limit the search to records produced from January 1, 2017 – present. Please include in your search as responsive records: communications, memorandums, background papers, meeting minutes, email exchanges, or presentation materials. If your office has questions about this request, please feel free to direct them to the address associated with this request or call the MuckRock office at 617-299-1832.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Freddy Martinez

Upload documents directly:

[https://www.muckrock.com/accounts/login/?url\\_auth\\_token=AAAY2PxlhXD3hii0\\_U3NkYrn\\_p0%3A1hklbs%3AnswjI-1LpsDV6uknE38XZ00rFlo&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Freno-police-department-5222%252Ffacial-recognition-reno-nv-76834%252F%253F](https://www.muckrock.com/accounts/login/?url_auth_token=AAAY2PxlhXD3hii0_U3NkYrn_p0%3A1hklbs%3AnswjI-1LpsDV6uknE38XZ00rFlo&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Freno-police-department-5222%252Ffacial-recognition-reno-nv-76834%252F%253F)

Our office has begun researching and identifying non-exempt records responsive to your request. Consequently, additional time is necessary to properly respond to your request for the following reasons: Due to staffing constraints.

We will notify you within 10 business days from 07/15/2019 as to whether the City is in possession of non-exempt records responsive to your request.

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On July 8, 2019:

Subject: Nevada Public Records Act Request: Facial Recognition - Reno (NV)

To Whom It May Concern:

Pursuant to the Nevada Public Records Act, I hereby request the following records:

Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services.

This software or services may be provided by Rekognition, Face++, and FaceFirst; this request is applicable to these and any other company providing facial recognition services under consideration or contract with this agency.

Responsive materials include but are not limited to:

- Agreements: contracts (including non-disclosure agreements), licensing agreements, nondisclosure agreements
- Bid records: Requests For Proposal (or equivalent calls for bids), sole source or limited source justification and approval documentation, documentation of selection, and other materials generated in the consideration and selection of the technology in question
- Company relations and communications: records related to meetings or follow-up actions with any vendors, companies, or other private entities marketing face recognition to this agency for immigration, intelligence, law enforcement, or other use.
- Financial records: purchase orders, invoices, and other memoranda and documentation.
- Marketing records: All marketing materials - unsolicited, requested, or otherwise - acquired from vendors of face recognition technology
- Policy records: any policy directives, guidance documents, memoranda, training materials, or similar records governing the use of face recognition technology for immigration, law enforcement, or other purposes. Any memoranda of understanding between this agency and other agencies to share data, access remote systems or other forms of information sharing with external agencies.
- Training records: training material governing the use, sharing, or access to any related data related to or collected by the face recognition software/technology, including the legal standard that is required before

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using the technology. Documents, should they exist, about training for bias in the use of facial recognition technology.

- Use and function records: Materials that describe the function of the software considered or in use by this agency, including emails, handouts, PowerPoint presentations, advertisements, or specification documents.
- Validation and accuracy: Records, reports, audits, and other documents sufficient to describe validation, accuracy, reliability, and policy compliance of the system.

Please limit the search to records produced from January 1, 2017 - present. Please include in your search as responsive records: communications, memorandums, background papers, meeting minutes, email exchanges, or presentation materials. If your office has questions about this request, please feel free to direct them to the address associated with this request or call the MuckRock office at 617-299-1832.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

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